

MARK E. FERRARIO
Nevada Bar No. 1625
KYLE A. EWING
Nevada Bar No. 14051
GREENBERG TRAURIG, LLP
10845 Griffith Peak Drive, Suite 600
Las Vegas, NV 89135
Telephone: (702) 792-3773
Facsimile: (702) 792-9002
Email: ferrariom@gtlaw.com
ewingk@gtlaw.com

Counsel for Onyx & Rose, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ONYX & ROSE, LLC,

Plaintiff,

v.

T1 Payments LLC,

Defendant.

Case No. 2:20-cv-00008-KJD-DJA

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEADLINE FOR
PLAINTIFF TO RESPOND TO
DEFENDANT'S MOTION TO DISMISS**

(Second Request)

Plaintiff Onyx & Rose, LLC ("Onyx & Rose"), and Defendant T1 Payments LLC (T1 Payments") (collectively, the "Parties"), stipulate and agree as follows, under LR IA 6-1, LR IA 6-2, and LR 7-1:

1. On January 7, 2020, T1 Payments filed a Motion to Dismiss Count II of Plaintiff Onyx & Rose's Complaint, Or, in the Alternative, for Summary Judgment (the "Motion").

2. The Court Clerk has calendared the deadline for Onyx & Rose to respond to T1 Payments' Motion as January 21, 2020.

3. The Parties agreed to extend the deadline for Onyx & Rose to respond to the Motion by fourteen (14) days to February 4, 2020, and on January 16, 2020, the Parties filed a Stipulation and [Proposed] Order to that Effect.

4. The Parties now agree to extend the deadline for Onyx & Rose to respond to the Motion by an additional fourteen (14) days to February 18, 2020.

///

5. Counsel for Onyx & Rose has requested the additional time to continue to analyze T1 Payments' Motion and prepare a response, in light of the fact that this case was recently transferred to this Court from the United States District Court for the Western District of Kentucky, *see* ECF Nos. 12–14, and the undersigned counsel for Onyx & Rose were only retained on January 15, 2020, after Onyx & Rose's diligent effort to retain competent Nevada counsel.

6. Counsel for Onyx & Rose is diligently analyzing Onyx & Rose's claims and T1 Payments' Motion under Nevada law and has requested the extension to provide ample time to prepare a response to T1 Payments' Motion that best promotes the just, speedy, and inexpensive determination of this action, and counsel for T1 Payments has agreed to the extension.

7. This is the second stipulation for an extension of time for Onyx & Rose to respond to T1 Payments' Motion, and the Stipulation is not made for purposes of delay.

Dated: January 31, 2020

Dated: January 31, 2020

GREENBERG TRAURIG, LLP

LARSON ZIRZOW KAPLAN & COTTNER

/s/ Kyle A. Ewing
MARK E. FERRARIO
Nevada Bar No. 1625
KYLE A. EWING
Nevada Bar No. 14051
10845 Griffith Peak Drive, Suite 600
Las Vegas, NV 89135

/s/ Kory L. Kaplan
KORY L. KAPLAN
Nevada Bar No. 13164
850 E. Bonneville Ave.
Las Vegas, NV 89101

Counsel for T1 Payments LLC

Counsel for Onyx & Rose, LLC

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: February 3, 2020